

reconsider the restriction requirement and examine the subject matter of all of the claims for the reasons expressed below.

First, claim 8 has been amended to clarify that it is dependent from claim 7 and thus should be added to the claims of Group II.

Secondly, it is submitted there is only one invention in the application as filed and thus there is no reason to separate claims 7 and 8, which concern a complex packaging, from the other dependent claims which precede it and concern the complex itself. In this regard, the first sentence of the specification makes this clear: "The present invention relates to a therapeutic and preventive anti-bacterial vaccine complex..."

As to the claims, claims 1-3 relate to a specific therapeutic immunomodulatory complex which can be used:

- in the treatment of diseases caused by Helicobacter bacteria (claim 4)
- as an anti-idiotype vaccine (claim 5) or
- against bacterial resistance (claim 6).

Claim 7 relates to a specific packaging of the vaccine and immunomodulatory complex according to one of claims 1-6. Claim 8 relates to a specific packaging of the vaccine and immunomodulatory complex according to preceding claim 7.

Accordingly, it is submitted that the Examiner's election/restriction requirement should be reconsidered and withdrawn. If it is not withdrawn, however, the Applicant wishes to select the subject matter of claims 1-6 (namely Group I) for examination at this time.

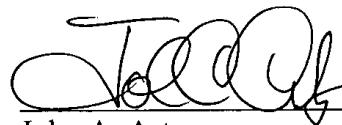
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